

August 11, 2020

VIA ECF

The Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Breakwater Trading LLC. v. JP Morgan Chase & Co.*, No. 20 Civ. 3515 (S.D.N.Y.);
Grace v. JP Morgan Chase & Co., No. 20 Civ. 4523 (S.D.N.Y.) [rel. 20 Civ. 3515];
Endeavor Trading, LLC v. JP Morgan Chase & Co., No. 20 Civ. 5285 (S.D.N.Y.) [rel. 20 Civ. 3515];
Robert Charles v. JP Morgan Chase & Co., No. 20 Civ. 5298 (S.D.N.Y.) [rel. 20 Civ. 3515];
Proctor, III, v. JP Morgan Chase & Co., No. 20 Civ. 5360 (S.D.N.Y.) [rel. 20 Civ. 3515];
Budo Trading v. JP Morgan Chase & Co., No. 20 Civ. 5772 (S.D.N.Y.) [rel. 20 Civ. 3515];
Gramatis v. JP Morgan Chase & Co., No. 20 Civ. 5918 (S.D.N.Y.) [rel. 20 Civ. 3515];

Dear Judge Engelmayer:

We write pursuant to Your Honor's Order dated August 5, 2020, ECF No. 23¹ directing counsel to confer as to an orderly schedule in the case and file a joint letter setting forth the Parties' proposal.

The Parties have conferred and propose the following schedule:

¹ All docket entries refer to *Breakwater Trading LLC. v. JP Morgan Chase & Co.*, No. 20 Civ. 3515 (PAE) (S.D.N.Y.) unless otherwise noted.

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Event	Date
Plaintiffs' Motions for Appointment of Counsel and for Consolidation of the Related Actions ²	August 21, 2020
Deadline to File Consolidated Complaint	45 days after entry of the order on Appointment of Counsel
Defendants' Deadline to Answer, Move to Dismiss, or Otherwise Respond to the Consolidated Complaint	60 days after the filing of the Consolidated Complaint
Plaintiffs' Deadline to File Their Opposition to Defendants' Motion to Dismiss, if any	60 days after the filing of the Motion to Dismiss
Defendants' Deadline to File Their Reply in Support of the Their Motion to Dismiss	30 days after Plaintiffs file their Opposition

Regarding the participants for the telephonic conference on Thursday, August 13, 2020, Karen Lerner [(973) 610-6068] of Kirby McInerney and Vincent Briganti [(914) 733-7221] of Lowey Dannenberg will speak on behalf of the *Proctor* Plaintiffs,³ Linda Nussbaum [(917) 438-9189] will speak on behalf of the *Breakwater* Plaintiffs,⁴ and Amanda Davidoff [(571)-213-9655] will speak on behalf of JPMorgan. Additional counsel expected to participate in the telephonic conference are as follows:

Attorney	Law Firm	On Behalf of	Telephone
Roberta Liebenberg	Fine Kaplan and Black, R.P.C.	<i>Grace</i> Plaintiff	(215) 947-2773
Joseph Meltzer	Kessler Topaz Meltzer & Check, LLP	<i>Endeavor</i> Plaintiff	(610) 822-2210
Christopher Burke	Scott+Scott Attorneys at Law LLP	<i>Robert Charles</i> and <i>Budo Trading</i> Plaintiffs	(619) 571-2253

² All parties agree that the Related Actions should be consolidated, but Plaintiffs will brief that issue if the Court deems appropriate. Plaintiffs further respectfully request that the Court not invite response memoranda, given that these actions have already been pending for several months.

³ “*Proctor* Plaintiffs” include counsel in the following cases: *Proctor* Action, *Robert Charles* Action, *Gramatis* Action, and *Budo Trading* Action.

⁴ “*Breakwater* Plaintiffs” include counsel in the following cases: *Breakwater* Action, *Grace* Action, and *Endeavor* Action.

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Attorney	Law Firm	On Behalf of	Telephone
Amanda Lawrence	Scott+Scott Attorneys at Law LLP	<i>Robert Charles and Budo Trading Plaintiffs</i>	(860) 537-5537
George Zelcs	Korein Tillery LLC	<i>Robert Charles Plaintiff</i>	(312) 641-9750
Randall Ewing, Jr.	Korein Tillery LLC	<i>Robert Charles Plaintiff</i>	(312) 899-9012
Louis Burke	Louis F. Burke PC	<i>Robert Charles Plaintiff</i>	(212) 682-1700
David Kovel	Kirby McInerney LLP	<i>Proctor Plaintiffs</i>	(718) 564-9335
Margaret MacLean	Lowey Dannenberg, P.C.	<i>Proctor Plaintiffs</i>	(917) 751-9748
Anthony F. Fata	Cafferty Clobes Meriwether & Sprengel LLP	<i>Proctor Plaintiffs</i>	(773) 562-8669
Douglas Millen	Freed Kanner London & Millen LLC	<i>Budo Trading Plaintiffs</i>	(847) 873-6585
Steven Kanner	Freed Kanner London & Millen LLC	<i>Gramatis Plaintiffs</i>	(224) 632-4502
Robert Sacks	Sullivan & Cromwell LLP	Defendants	(310) 712-6640
Akash Toprani	Sullivan & Cromwell LLP	Defendants	(646) 384-4000

We thank the Court for its attention to this matter.

Dated: August 11, 2020

Respectfully submitted,

NUSSBAUM LAW GROUP, P.C.

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J.P. Morgan Clearing Corp. (now known as J.P.
Morgan Securities LLC), and J.P. Morgan
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The Court adopts the proposed schedule and sets
September 4, 2020 as the due date for any responses to
motions to consolidate or motions to appoint lead
counsel.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

August 13, 2020